

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION**

**JONAS HARMON,**

**PLAINTIFF**

**V.**

**NO. 4:05CV136-P-A**

**MDOC, ET AL,**

**DEFENDANTS**

**FINAL JUDGMENT**

Upon consideration of the file and records in this action, the Court finds that the Report and Recommendation of the United States Magistrate Judge dated August 25, 2005, was on that date duly served by mail upon the *pro se* plaintiff at his last known address; that more than ten days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been served or filed or served by the plaintiff. The court is of the opinion that the magistrate judge's Report and Recommendation should be approved and adopted as the opinion of the court. Therefore, it is

**ORDERED:**

1) The Report and Recommendation of the United States Magistrate Judge dated August 25, 2005, is hereby approved and adopted as the opinion of the court.

2) That all of plaintiff's claims be, and they are hereby, dismissed with prejudice for failure to state a claim upon which relief could be granted, and that the action be dismissed. This dismissal shall count as a strike against plaintiff under the "three-strike rule" of The Prison Litigation Reform Act, 28 U.S.C. § 1915(g).

THIS the 29<sup>th</sup> day of September, 2005.

/s/ W. Allen Pepper, Jr.  
W. ALLEN PEPPER, JR.  
UNITED STATES DISTRICT JUDGE